



PUBLIC NOTICE

US Army Corps
of Engineers
New York District
Jacob K. Javits Federal Building
New York, N.Y. 10278-0090
ATTN: Regulatory Branch

In replying refer to:

Public Notice Number: NAN-2006-244-WOR
Issue Date: June 13, 2007
Expiration Date: July 13, 2007

To Whom It May Concern:

The New York District, Corps of Engineers has received an application for a Department of the Army permit pursuant to Section 404 of the Clean Water Act (33 U.S.C. 1344).

APPLICANT: New York City Department of Environmental Protection
465 Columbus Avenue
Valhalla, NY 10595

ACTIVITY: Discharge of fill material into approximately 0.81 acres of waters of the United States in association with the realignment and improvements along approximately 2.5 miles of New York State Route 28A.

WATERWAY: Esopus Creek (Hudson River Basin)

LOCATION: Town of Olive, Ulster County, New York.

A detailed description and plans of the applicant's activity are enclosed to assist in your review.

The decision whether to issue a permit will be based on an evaluation of the probable impact including cumulative impacts of the proposed activity on the public interest. That decision will reflect the national concern for both protection and utilization of important resources. The benefit which reasonably may be expected to accrue from the proposal must be balanced against its reasonably foreseeable detriments. All factors which may be relevant to the proposal will be considered including the cumulative effects thereof; among those are conservation, economics, aesthetics, general environmental concerns, wetlands, historic properties, fish and wildlife values, flood hazards, floodplain values, land use, navigation, shoreline erosion and accretion, recreation, water supply and conservation, water quality, energy needs, safety, food and fiber production, mineral needs, considerations of property ownership and, in general, the needs and welfare of the people.

The Corps of Engineers is soliciting comments from the public; Federal, state, and local agencies and officials; Indian Tribes; and other interested parties in order to consider and evaluate the impacts of this proposed activity. Any comments received will be considered by the Corps of Engineers to determine whether to issue, modify, condition or deny a permit for this proposal. To make this decision, comments are used to assess impacts on endangered species, historic properties, water quality, general environmental effects, and the other public interest factors listed above. Comments are used in preparation of an Environmental Assessment and/or an Environmental Impact Statement pursuant to the National Environmental Policy Act. Comments are also used to determine the need for a public hearing and to determine the overall public interest of the proposed activity.

ALL COMMENTS REGARDING THE PERMIT APPLICATION MUST BE PREPARED IN WRITING AND MAILED TO REACH THIS OFFICE BEFORE THE EXPIRATION DATE OF THIS NOTICE, otherwise, it will be presumed that there are no objections to the activity.

CENAN-OP-RW
PUBLIC NOTICE NO. NAN-2006-244-WOR

Any person may request, in writing, before this public notice expires, that a public hearing be held to collect information necessary to consider this application. Requests for public hearings shall state, with particularity, the reasons why a public hearing should be held. It should be noted that information submitted by mail is considered just as carefully in the permit decision process and bears the same weight as that furnished at a public hearing.

Our preliminary determination is that the activity for which authorization is sought herein is not likely to adversely affect any Federally endangered or threatened species or their critical habitat. However, pursuant to Section 7 of the Endangered Species Act (16 U.S.C. 1531), the District Engineer is consulting with the appropriate Federal agency to determine the presence of and potential impacts to listed species in the project area or their critical habitat.

In a letter dated May 5, 2004, the New York State Office of Parks, Recreation and Historic Preservation stated that the project will have No Impact upon cultural resources in or eligible for inclusion in the State and National Registers of Historic Places.

Reviews of activities pursuant to Section 404 of the Clean Water Act include application of the guidelines promulgated by the Administrator, U.S. Environmental Protection Agency, under authority of Section 404 (b) of the Clean Water Act. On April 18, 2006, the New York State Department of Environmental Conservation issued a water quality certificate in accordance with Section 401 of the Clean Water Act.

It is requested that you communicate the foregoing information concerning the activity to any persons known by you to be interested and who did not receive a copy of this notice. If you have any questions concerning this application, you may contact this office at (917) 790-8413 and ask for Brian A. Orzel.

For more information on New York District Corps of Engineers programs, visit our website at <http://www.nan.usace.army.mil>



Richard L. Tomer
Chief, Regulatory Branch

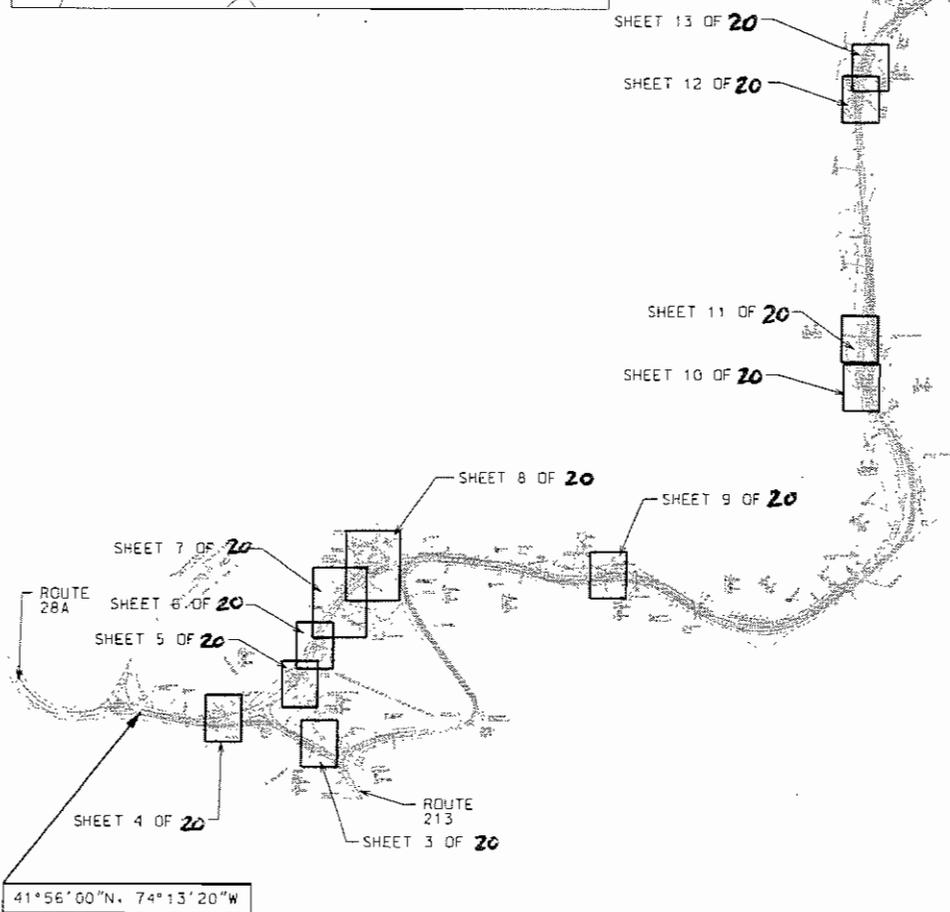
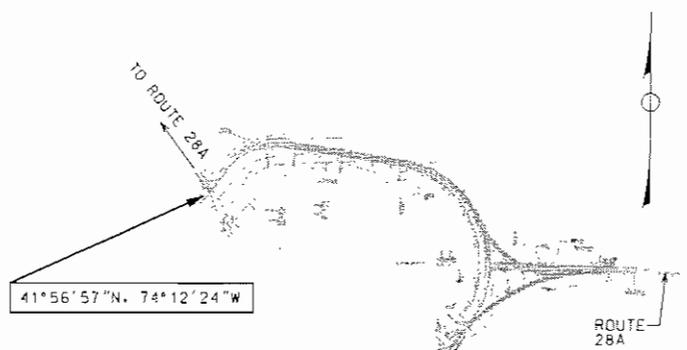
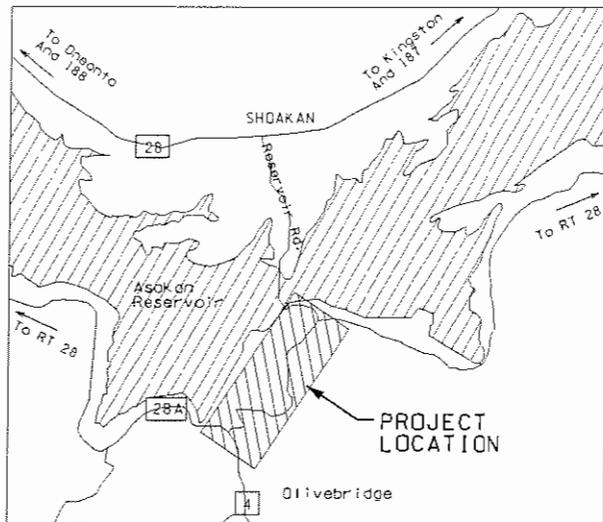
Enclosures

WORK DESCRIPTION

The applicant, the New York City Department of Environmental Protection, has requested Department of the Army authorization for the discharge of fill material into waters of the United States in association with the realignment and improvements along approximately 2.5 miles of New York State Route 28A. The project site is located in the Town of Olive, Ulster County, New York.

A portion of Route 28A would be constructed on a new alignment beginning just east of its southern intersection with Monument Road, extending approximately 2,000 linear feet to the northeast. Approximately 9,600 linear feet of Route 28A from that point east, then north, would be reconstructed and resurfaced. The proposed project would result in the discharge of fill material into a total of approximately 0.81 acres of waters of the United States, including wetlands. The applicant proposes a wetland mitigation plan which includes the restoration of approximately 0.21 acres of wetlands and the establishment of approximately 0.88 acres of wetlands.

The stated purpose of this project is to eliminate a dangerous S curve on Route 28A, which has resulted in numerous accidents. The proposed project is designed to decrease the number and severity of vehicular accidents along this portion of Route 28A.



PROJECT VICINITY AND KEY MAPS

ROUTE 28A
 ROUTE 213 - ROUTE 28A
 ULSTER COUNTY, NEW YORK

APPLICATION BY:
 NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION

SHEET 1 OF 20	SCALE 1"=1000'	DATE OCT, 2006	GREELEY AND HANSEN uc
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PLOTTED: 3/7/2007
 BY: RUSERNAME
 FILE: \$FILE\$

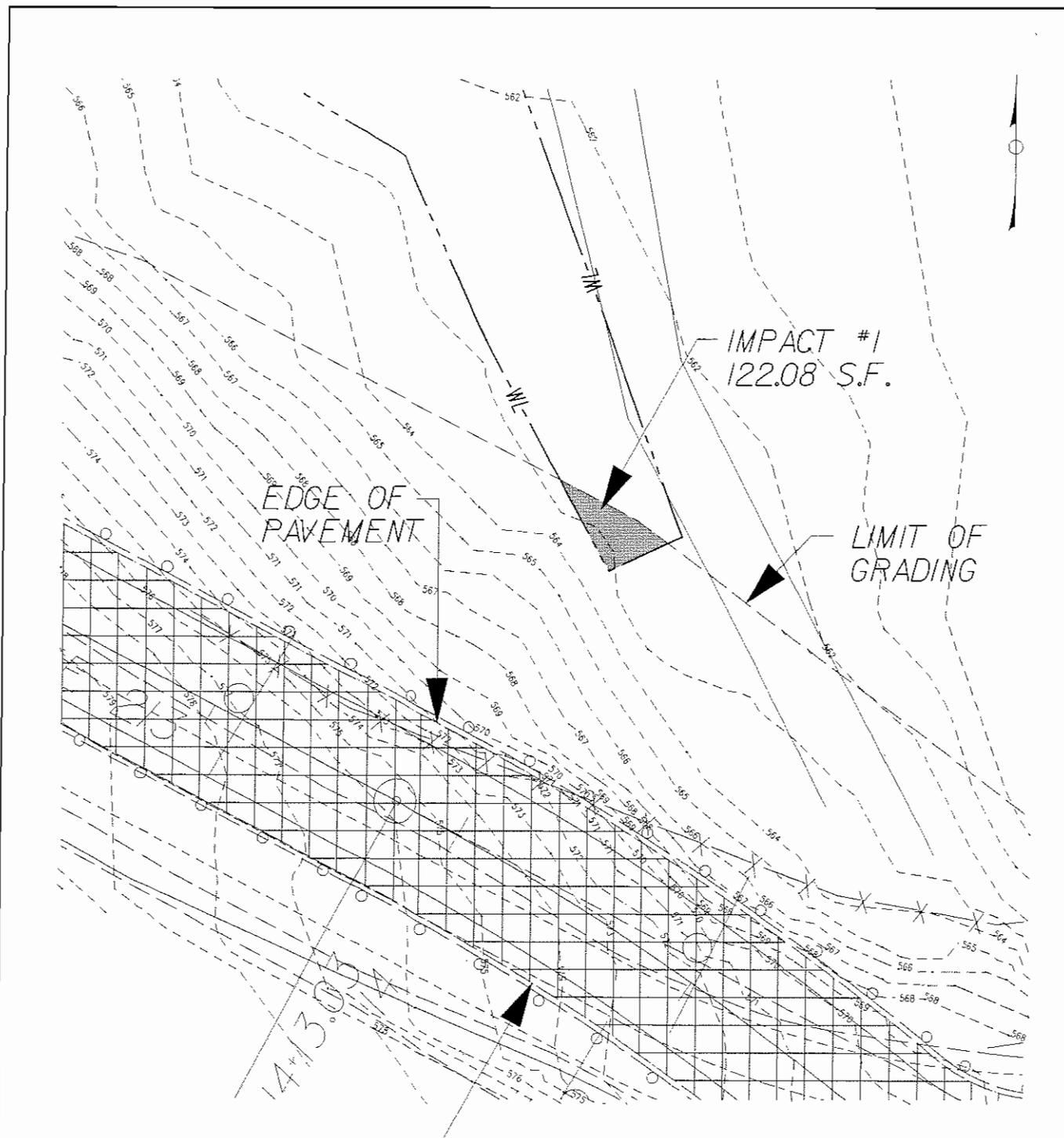
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IMPACT SHEET 3 OF 20	122.08 SQ. FT.	
IMPACT SHEET 4 OF 20	636.62 SQ. FT.	
IMPACT SHEET 5 OF 20	10107.14 SQ. FT.	
IMPACT SHEET 6 OF 20		3338.21 SQ. FT.
IMPACT SHEET 7 OF 20	8923.15 SQ. FT.	
IMPACT SHEET 8 OF 20	6668.10 SQ. FT.	1434.32 SQ. FT.
IMPACT SHEET 9 OF 20	39.26 SQ. FT.	
IMPACT SHEET 10 OF 20	402.70 SQ. FT.	
IMPACT SHEET 11 OF 20	3404.99 SQ. FT.	
IMPACT SHEET 12 OF 20	1039.91 SQ. FT.	
IMPACT SHEET 13 OF 20	3741.69 SQ. FT.	
TOTAL	35085.64 SQ. FT./ 0.8054 Ac.	4772.53 SQ. FT./ 0.1096 Ac.

SUMMARY TABLE OF
PROJECT IMPACT AREAS

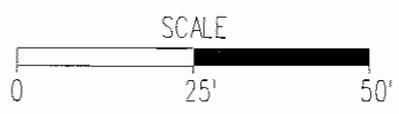
ROUTE 28A
ROUTE 213 - ROUTE 28A
ULSTER COUNTY, NEW YORK

APPLICATION BY:
NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION

SHEET 2 OF 20	SCALE NTS	DATE OCT. 2006	GREELEY AND HANSEN LLC
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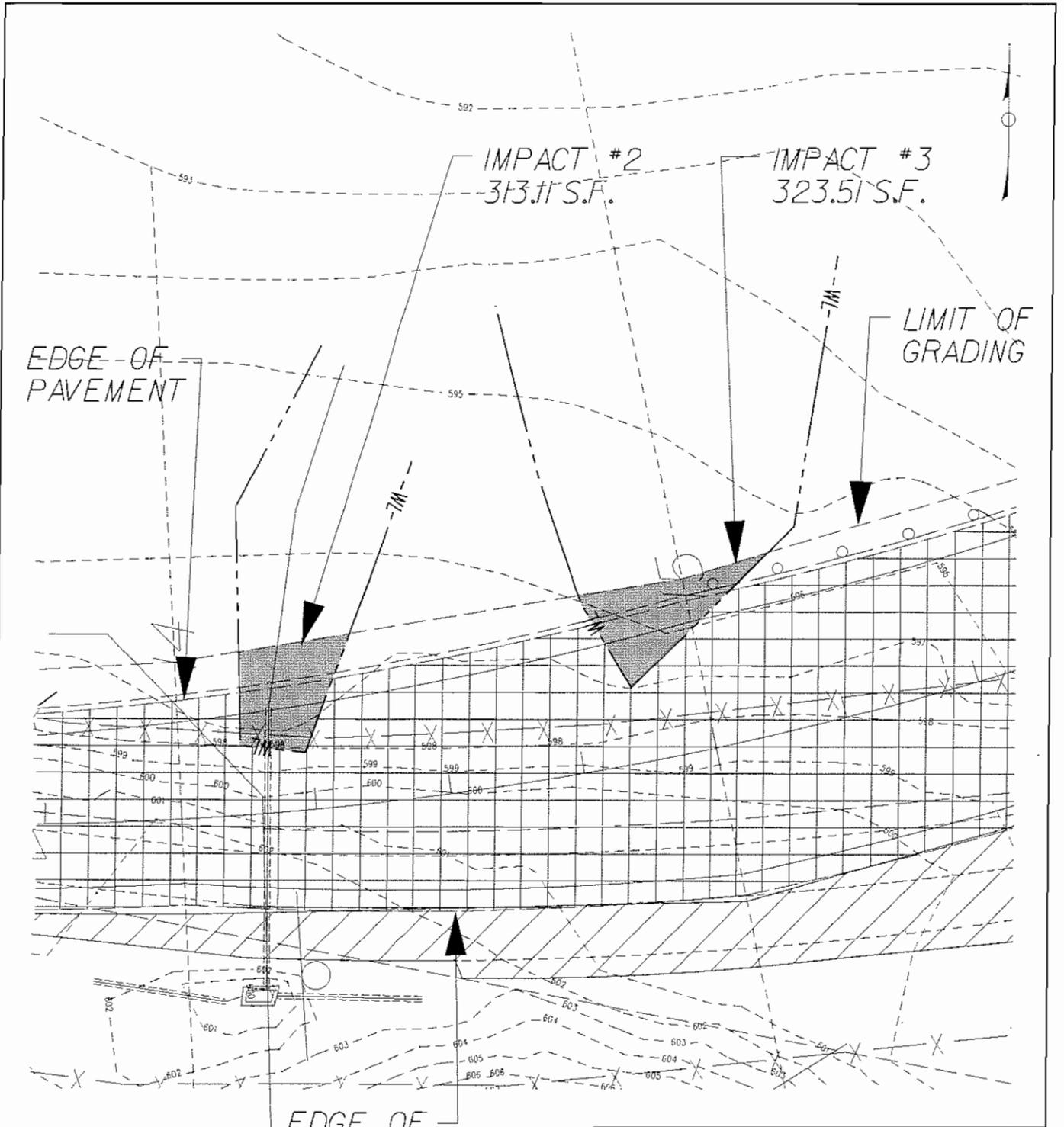
EDGE OF PAVEMENT



NOTE: See Sheet 2 For Summary Table Of Impact Areas.

IMPACT PLATE #1			
ROUTE 28A ROUTE 213 - ROUTE 28A ULSTER COUNTY, NEW YORK			
APPLICATION BY: NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION			
SHEET 3 OF 26	SCALE 1"=25'	DATE OCT. 2006	GREELEY AND HANSEN llc

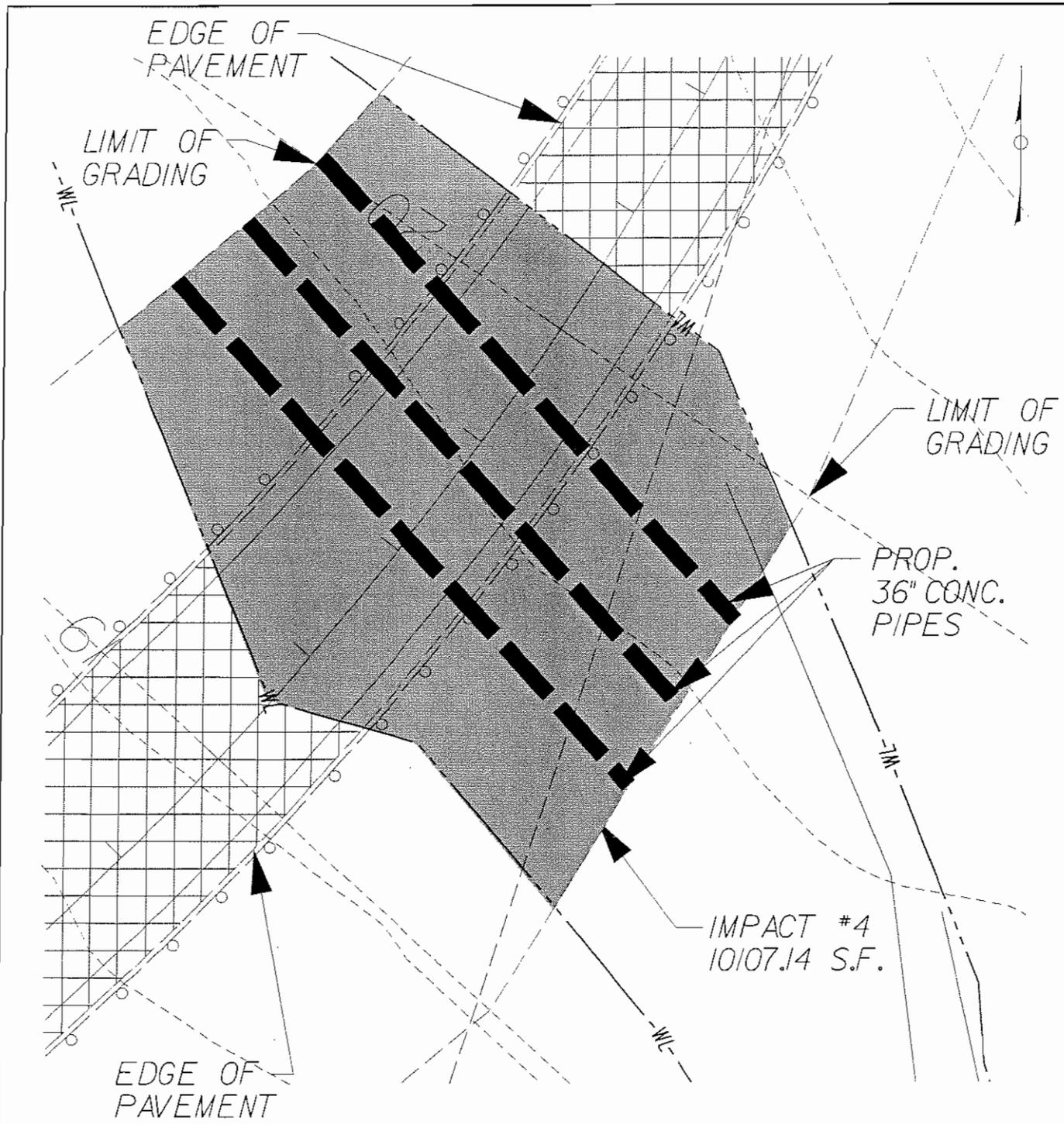
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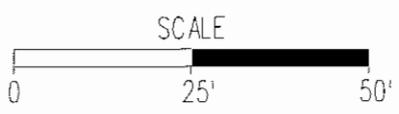
NOTE:
See Sheet 2 For Summary
Table Of Impact Areas.

IMPACT PLATE #2 AND #3		
ROUTE 28A ROUTE 213 - ROUTE 28A ULSTER COUNTY, NEW YORK		
APPLICATION BY: NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION		
SHEET 4 OF 26	SCALE 1"=25'	DATE OCT. 2006
GREELEY AND HANSEN inc		

PLOTTED 3/7/2007
BY: SUSERNAMEB
FILE: 8FILES



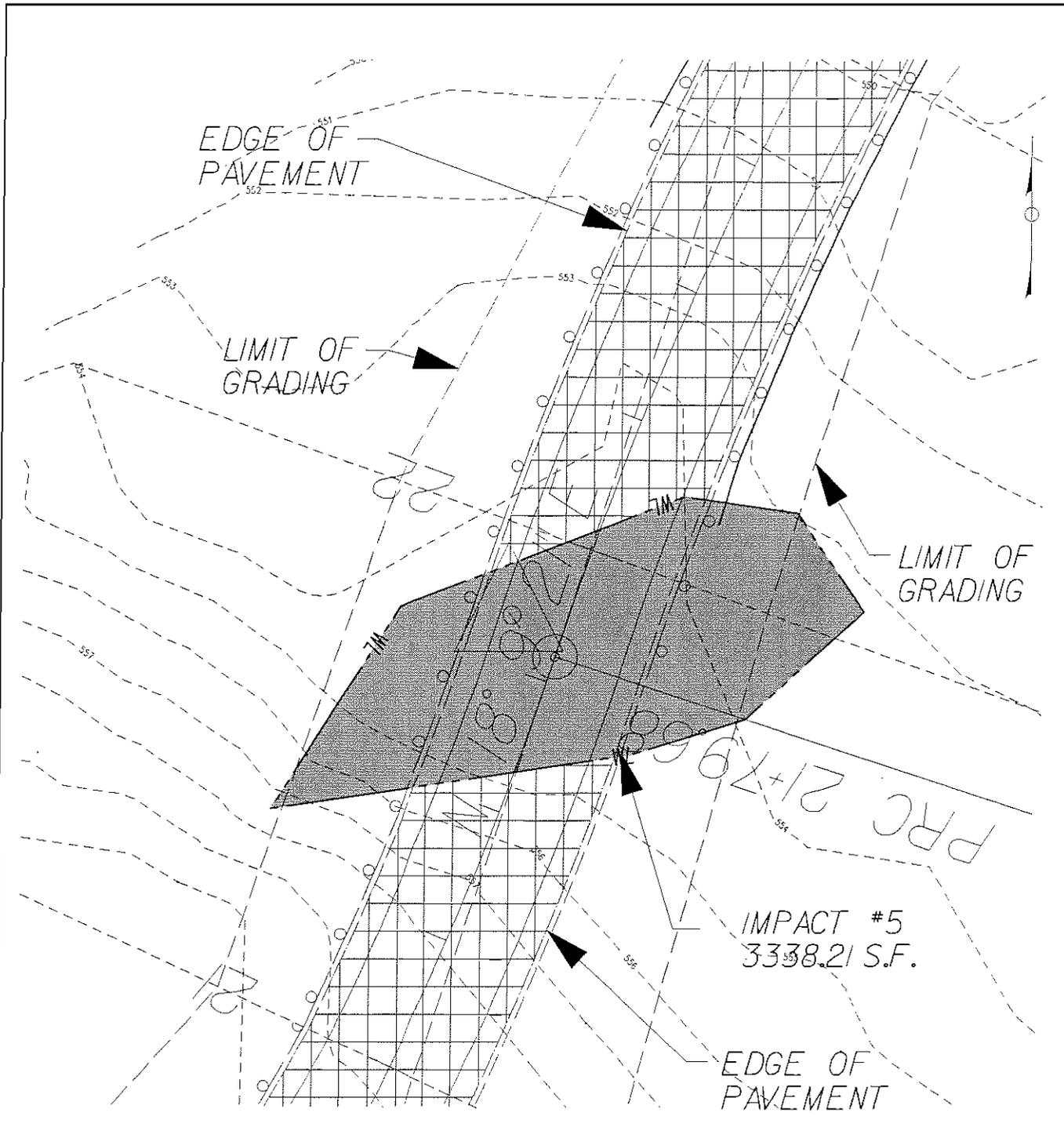
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10107.14 S.F.



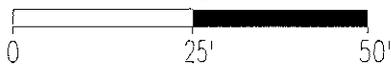
NOTE:
See Sheet 2 For Summary
Table Of Impact Areas.

IMPACT PLATE #3			
ROUTE 28A ROUTE 213 - ROUTE 28A ULSTER COUNTY, NEW YORK			
APPLICATION BY: NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION			
SHEET 5 OF 20	SCALE 1"=25'	DATE OCT. 2006	GREELEY AND HANSEN llc

PLOTTED: 3/7/2007
 BY: KUSERNAMES
 FILE: 3FILES



SCALE



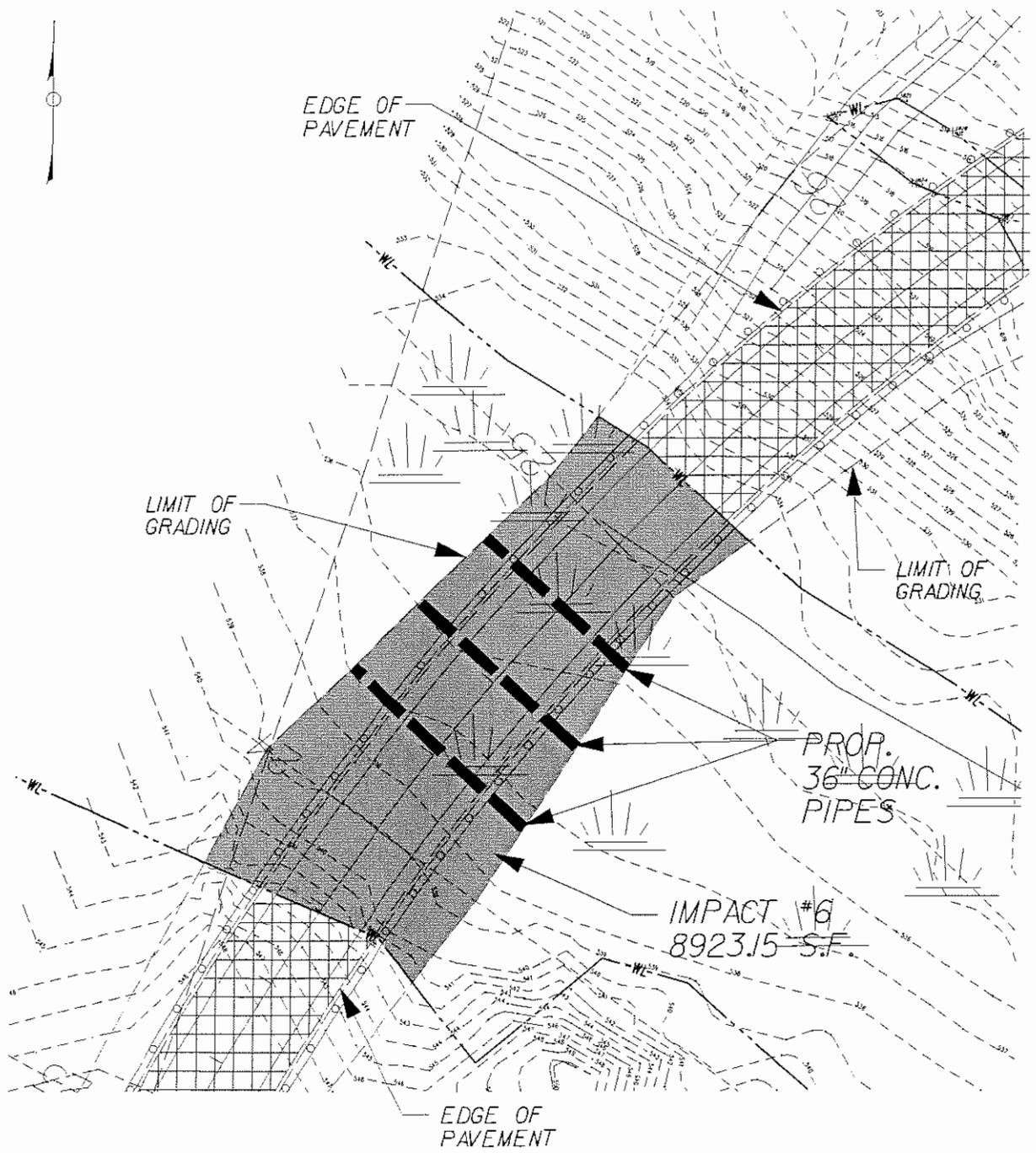
NOTE:
See Sheet 2 For Summary
Table Of Impact Areas.

IMPACT PLATE
#4

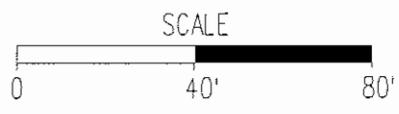
ROUTE 28A
ROUTE 213 - ROUTE 28A
ULSTER COUNTY, NEW YORK

APPLICATION BY:
NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION

SHEET 6 OF 20	SCALE 1"=25'	DATE OCT. 2006	GREELEY AND HANSEN LLC
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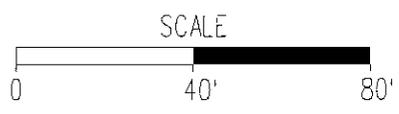
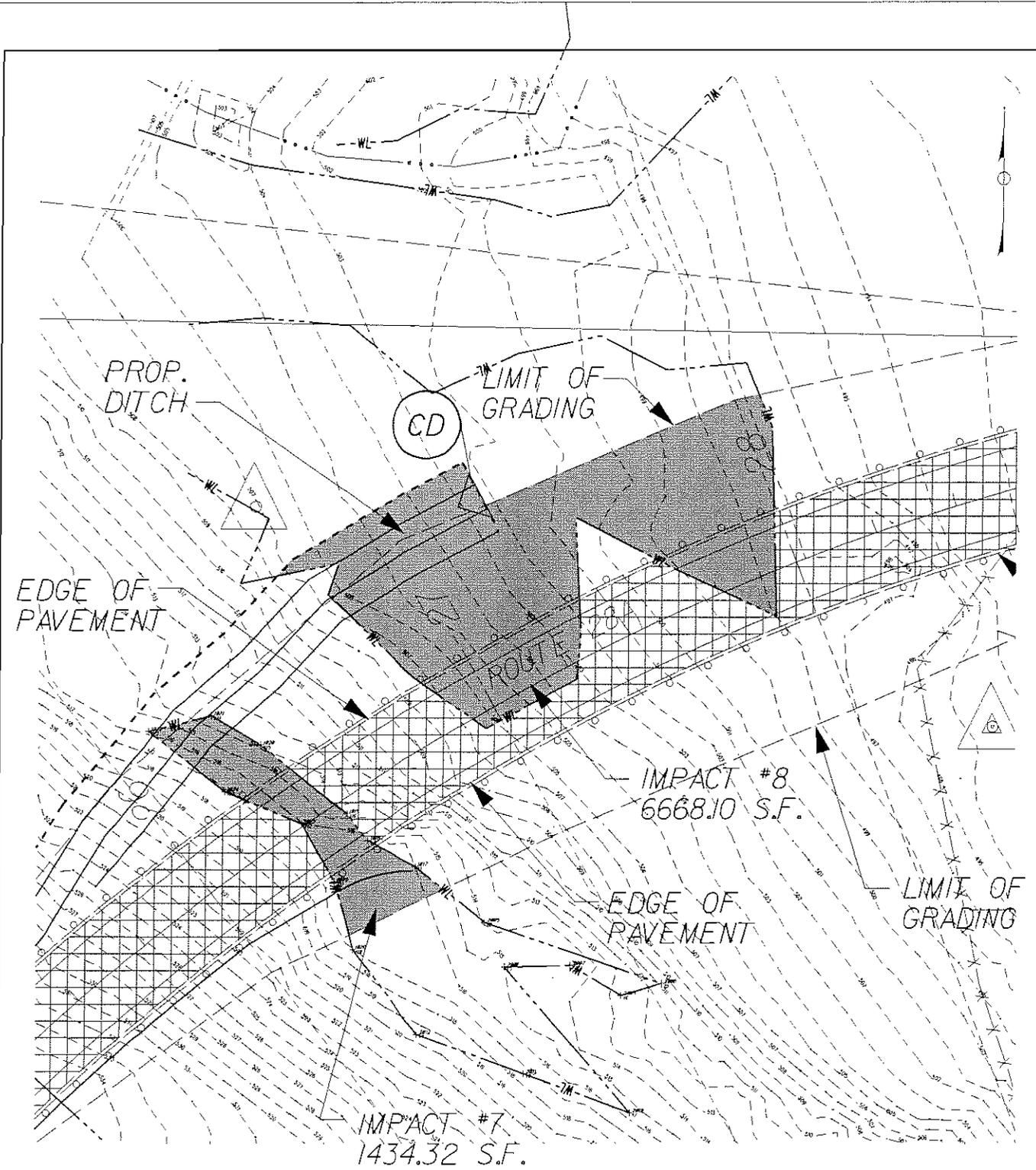


NOTE: See Sheet 2 For Summary Table Of Impact Areas.



IMPACT PLATE #5			
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APPLICATION BY: NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION			
SHEET 7 OF 20	SCALE 1"=40'	DATE OCT. 2006	GREELEY AND HANSEN III

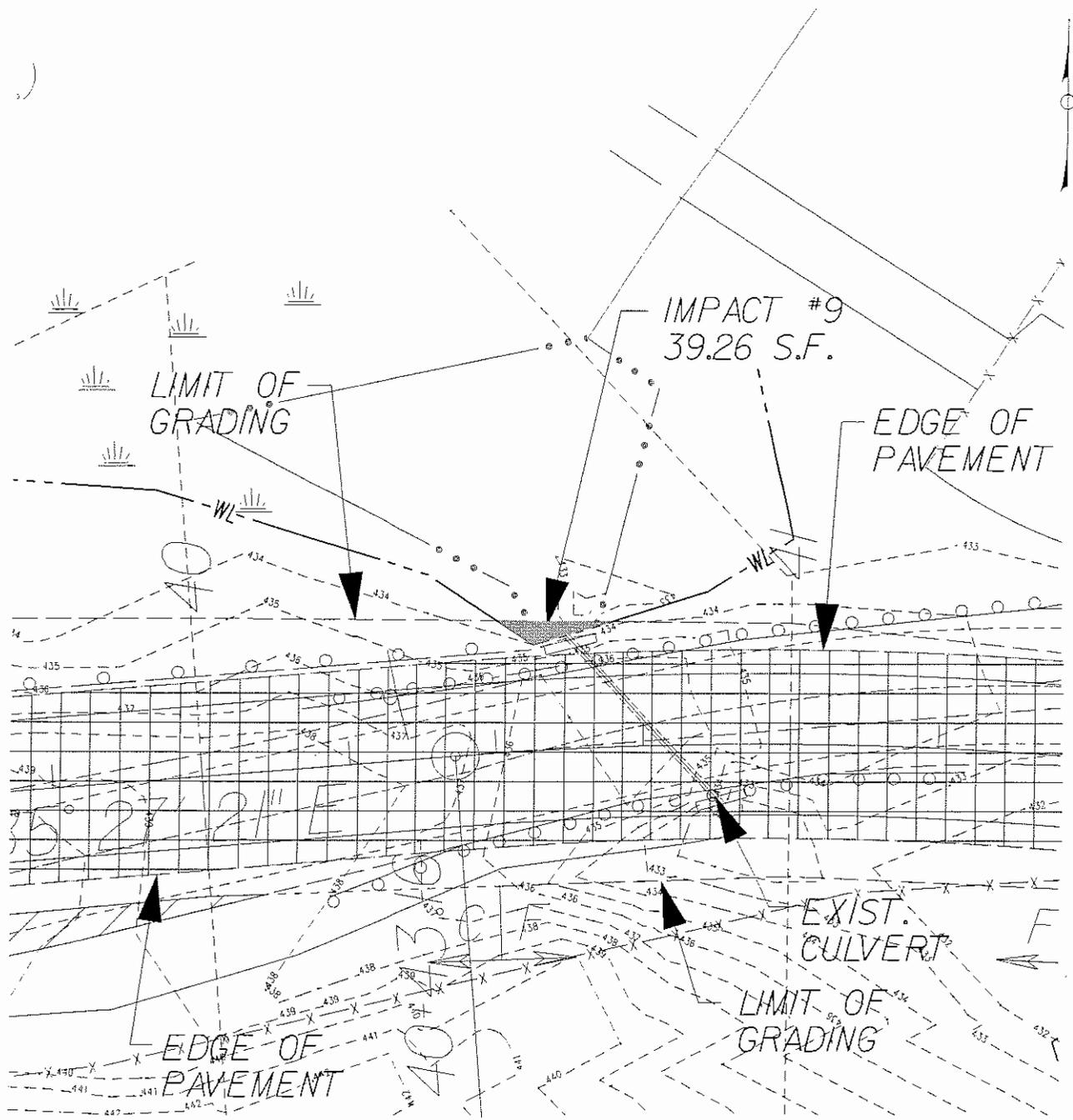
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NOTE: See Sheet 2 For Summary Table Of Impact Areas.

IMPACT PLATE #6			
ROUTE 28A ROUTE 213 - ROUTE 28A ULSTER COUNTY, NEW YORK			
APPLICATION BY: NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION			
SHEET 6 OF 2	SCALE 1"=40'	DATE OCT. 2006	GREELEY AND HANSEN <i>ll</i>

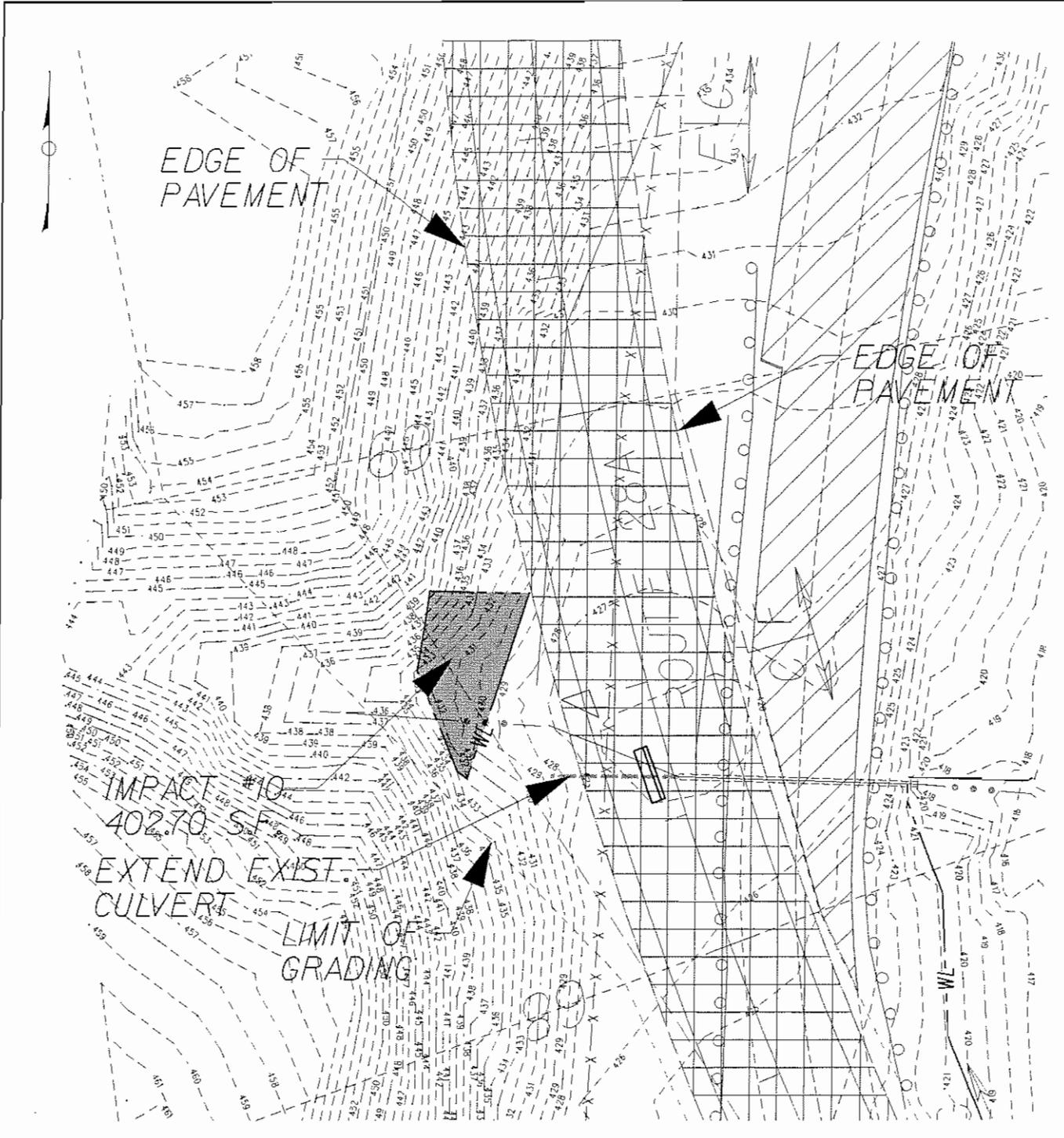
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NOTE:
See Sheet 2 For Summary
Table Of Impact Areas.

IMPACT PLATE #7			
ROUTE 28A ROUTE 213 - ROUTE 28A ULSTER COUNTY, NEW YORK			
APPLICATION BY: NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION			
SHEET 9 OF 20	SCALE 1"=25'	DATE OCT. 2006	GREELEY AND HANSEN inc

PLOTTED 3/7/2007
 BY: SUSERNAME1
 FILE: 05FILES



NOTE:
See Sheet 2 For Summary
Table Of Impact Areas.

IMPACT PLATE #8			
ROUTE 28A ROUTE 213 - ROUTE 28A ULSTER COUNTY, NEW YORK			
APPLICATION BY: NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION			
SHEET 10 OF 20	SCALE 1"=25'	DATE OCT. 2006	GREELEY AND HANSEN <i>ll</i>

PLOTTED 3/7/2007
 BY BUSSERNAME3
 FILE:RFILES

IMPACT #11
3404.99 S.F.

PROP.
36" CONC.
PIPE

PRC 7/134.C

EDGE OF
PAVEMENT

LIMIT OF
GRADING

LIMIT OF
GRADING

EDGE OF
PAVEMENT

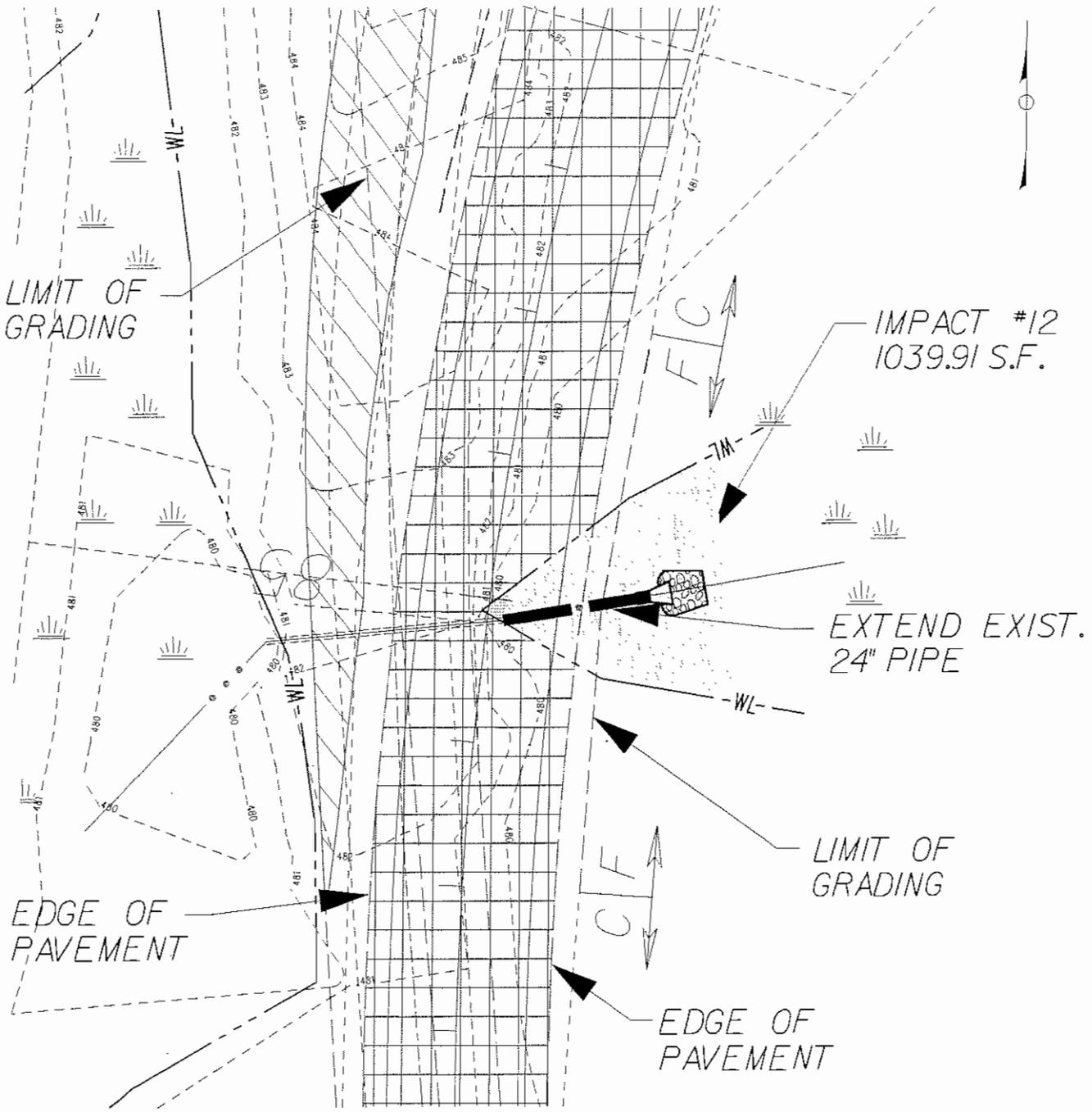


NOTE:
See Sheet 2 For Summary
Table Of Impact Areas.

IMPACT PLATE
#9

ROUTE 28A
ROUTE 213 - ROUTE 28A
ULSTER COUNTY, NEW YORK

APPLICATION BY: NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION			
SHEET 11 OF 20	SCALE 1"=25'	DATE OCT. 2006	GREELEY AND HANSEN <i>llc</i>



LIMIT OF GRADING

IMPACT #12
1039.91 S.F.

EXTEND EXIST.
24" PIPE

EDGE OF PAVEMENT

LIMIT OF GRADING

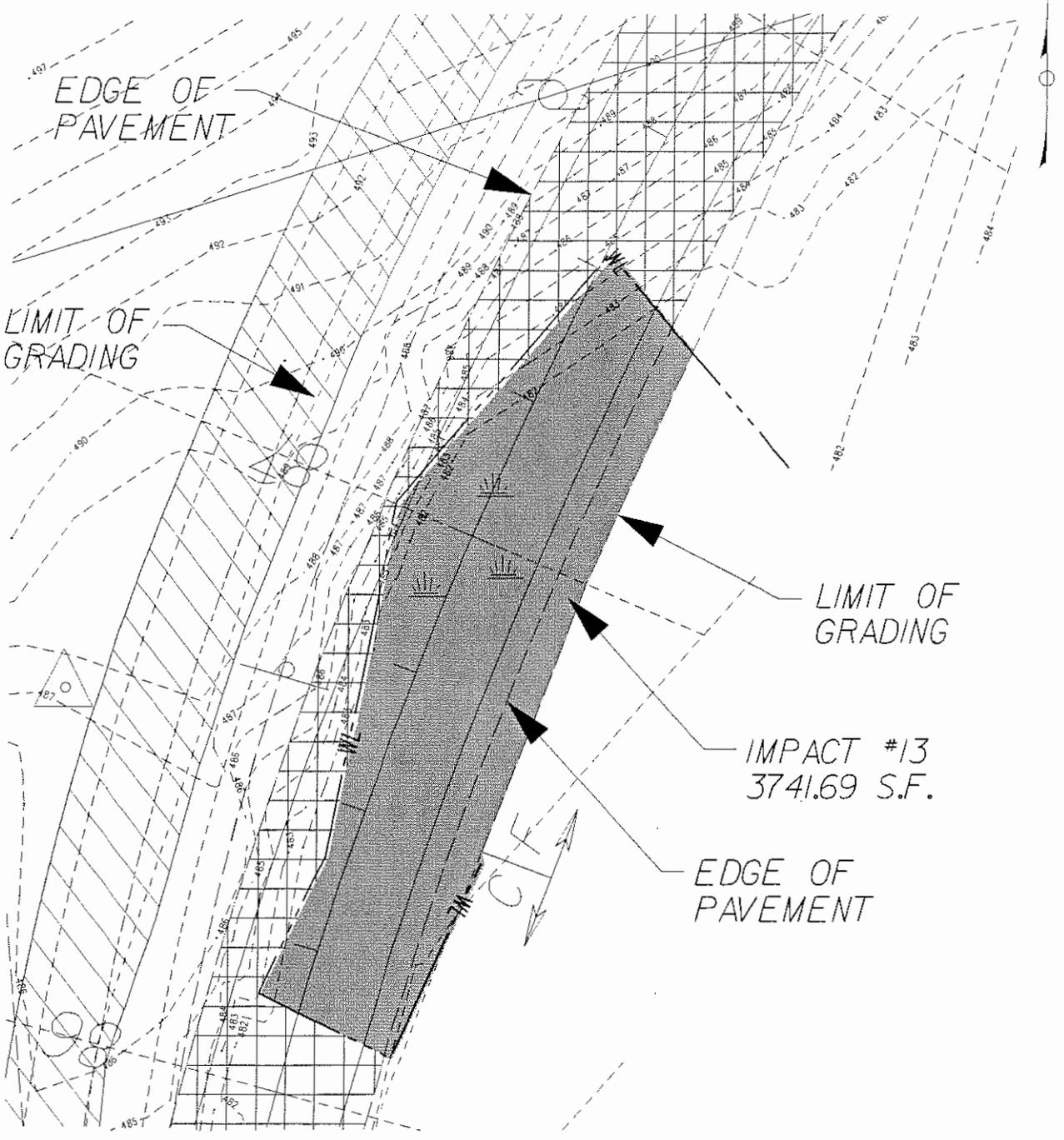
EDGE OF PAVEMENT



NOTE:
See Sheet 2 For Summary
Table Of Impact Areas.

IMPACT PLATE #10			
ROUTE 28A ROUTE 213 - ROUTE 28A ULSTER COUNTY, NEW YORK			
APPLICATION BY: NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION			
SHEET 12 OF 26	SCALE 1"=25'	DATE OCT, 2006	GREELEY AND HANSEN <i>inc</i>

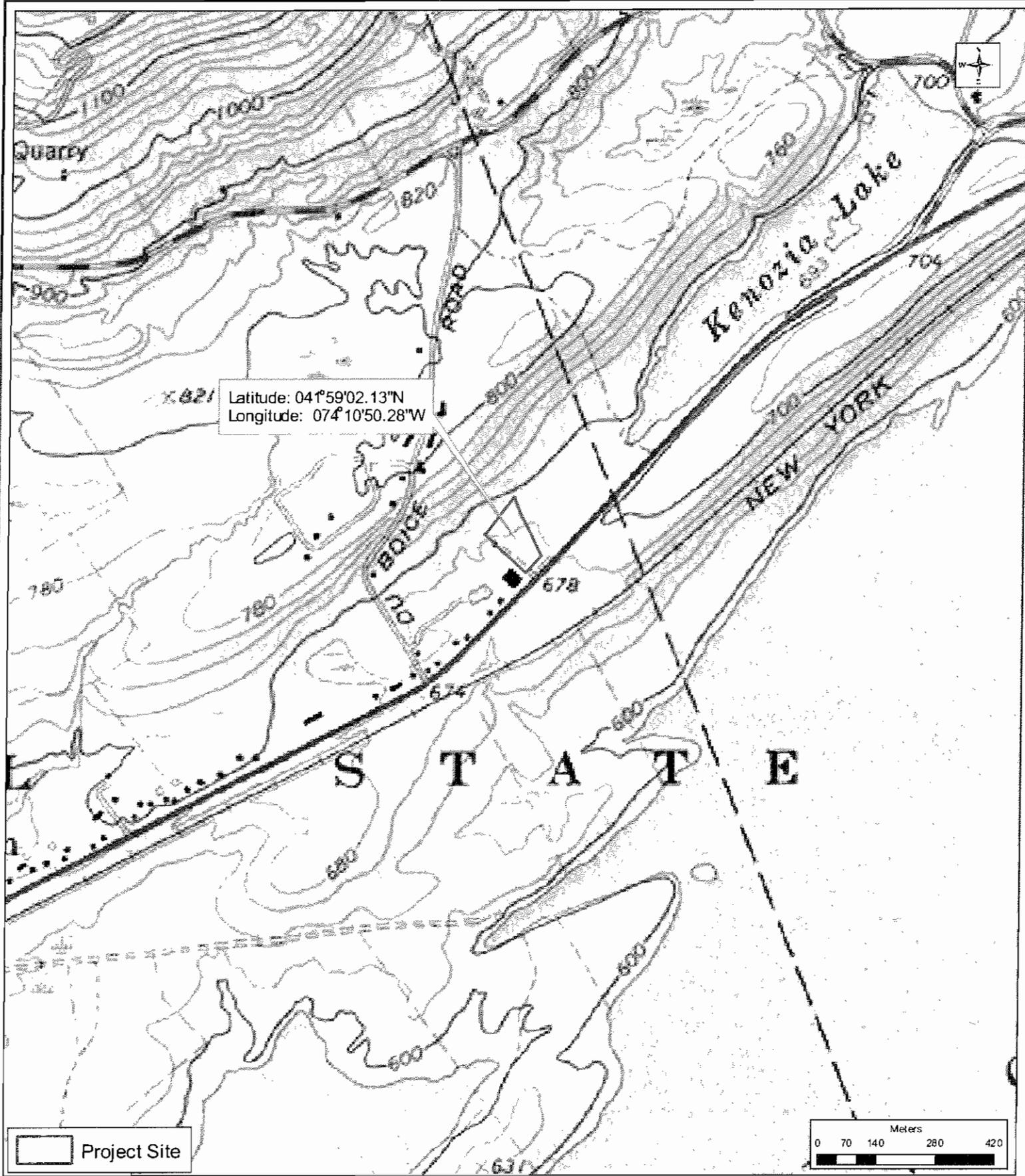
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NOTE:
See Sheet 2 For Summary
Table Of Impact Areas.

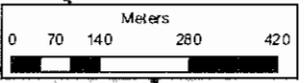
IMPACT PLATE #11			
ROUTE 28A ROUTE 213 - ROUTE 28A ULSTER COUNTY, NEW YORK			
APPLICATION BY: NEW YORK CITY DEPARTMENT OF ENVIRONMENTAL PROTECTION			
SHEET 13 OF 20	SCALE 1"=25'	DATE OCT, 2006	GREELEY AND HANSEN <i>llc</i>

PLOTTED 3/7/2007
BY: KUSERNAME5
FILE: 9FILES



Latitude: 04°59'02.13"N
 Longitude: 074°10'50.28"W

Project Site



THE Chazen COMPANIES
 Engineers/Surveyors
 Planners
 Environmental Sciences
 GIS Consultants

CHAZEN ENGINEERING & LAND SURVEYING CO., P.C.

Dutchess County Office: 21 Fox Street Poughkeepsie, NY 12601 Phone: (845) 454-3980	Orange County Office: 356 Meadow Avenue Newburgh, NY 12550 Phone: (845) 567-1133	Capital District Office: 547 River Street Troy, NY 12180 Phone: (518) 273-0055	North Country Office: 110 Glen Street Glens Falls, NY 12801 Phone: (518) 812-0513
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This map is a product of The Chazen Companies. It should be used for reference purposes only. Reasonable efforts have been made to ensure the accuracy of this map. The Chazen Companies expressly disclaims any responsibility or liability from the use of this map for any purpose other than its intended use.

DEP RI. 28 Mitigation Site

**Figure 1.1-1:
 Site Location Map
 SHEET 14 of 20**

Town of Olive
 Ulster County, New York

Created by:	J.F.T.
Date:	04/17/2007
Scale:	1:12,000
Project#:	70443.00

WETLAND MITIGATION PLAN

ROUTE 28A WETLAND MITIGATION PLAN TOWN OF OLIVE, ULSTER COUNTY, NEW YORK

DECEMBER 16, 2005

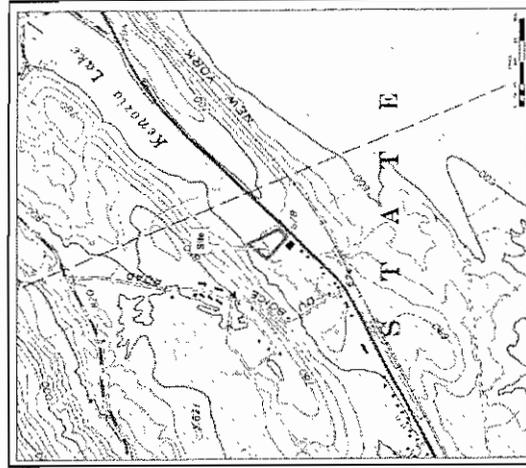
OWNER / APPLICANT
MAYNARD ENGINEERING & LAND SURVEYING CO., P.C.
21 TOP STREET, 700-4-REPERC, NY 12021
PHONE: (845) 454-3990

SITE CIVIL ENGINEER:
MAYNARD ENGINEERING & LAND SURVEYING CO., P.C.
21 TOP STREET, 700-4-REPERC, NY 12021
PHONE: (845) 454-3990

TAX MAP INFORMATION:
TOWN OF OLIVE
LAW 0-37,072-1-24-2

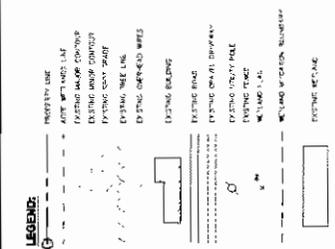
AREA:
TOTAL PROJECT ACRES = 25.8 ACRES
RESTORED WETLAND ACRES = 21 ACRES
TOTAL GRATED AND RESTORED = 100 ACRES

PAGE NO.	REV	SHEET NO.	DATE	DESCRIPTION
1		T1	12/16/05	TITLE SHEET
2		WM1	12/16/05	EXISTING CONDITIONS AND DEMOLITION PLAN
3		WM2	12/16/05	DRAINAGE PLAN
4		WM3	12/16/05	LANDSCAPE PLAN



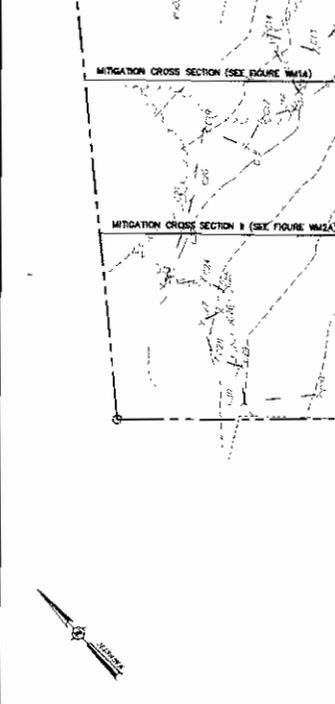
LOCATION MAP

<p>OWNER / APPLICANT MAYNARD ENGINEERING & LAND SURVEYING CO., P.C. 21 TOP STREET, 700-4-REPERC, NY 12021 PHONE: (845) 454-3990</p>	<p>SITE CIVIL ENGINEER: MAYNARD ENGINEERING & LAND SURVEYING CO., P.C. 21 TOP STREET, 700-4-REPERC, NY 12021 PHONE: (845) 454-3990</p>	<p>TAX MAP INFORMATION: TOWN OF OLIVE LAW 0-37,072-1-24-2</p>	<p>AREA: TOTAL PROJECT ACRES = 25.8 ACRES RESTORED WETLAND ACRES = 21 ACRES TOTAL GRATED AND RESTORED = 100 ACRES</p>	<p>INDEX OF DRAWINGS</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>PAGE NO.</th> <th>REV</th> <th>SHEET NO.</th> <th>DATE</th> <th>DESCRIPTION</th> </tr> </thead> <tbody> <tr> <td>1</td> <td></td> <td>T1</td> <td>12/16/05</td> <td>TITLE SHEET</td> </tr> <tr> <td>2</td> <td></td> <td>WM1</td> <td>12/16/05</td> <td>EXISTING CONDITIONS AND DEMOLITION PLAN</td> </tr> <tr> <td>3</td> <td></td> <td>WM2</td> <td>12/16/05</td> <td>DRAINAGE PLAN</td> </tr> <tr> <td>4</td> <td></td> <td>WM3</td> <td>12/16/05</td> <td>LANDSCAPE PLAN</td> </tr> </tbody> </table>	PAGE NO.	REV	SHEET NO.	DATE	DESCRIPTION	1		T1	12/16/05	TITLE SHEET	2		WM1	12/16/05	EXISTING CONDITIONS AND DEMOLITION PLAN	3		WM2	12/16/05	DRAINAGE PLAN	4		WM3	12/16/05	LANDSCAPE PLAN	<p>LOCATION MAP</p>	<p>ROUTE 28A WETLAND MITIGATION PLAN</p> <p style="text-align: center;">TITLE SHEET</p> <p style="text-align: center;">TOWN OF OLIVE, ULSTER COUNTY, NEW YORK</p>	<p>DATE: 12/16/05 SCALE: AS SHOWN PROJECT NO.: 05-0343-00 SHEET NO.: T1</p>
PAGE NO.	REV	SHEET NO.	DATE	DESCRIPTION																												
1		T1	12/16/05	TITLE SHEET																												
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4		WM3	12/16/05	LANDSCAPE PLAN																												
<p>THE CHAZEN COMPANIES Engineering & Surveying Environmental Services</p>				<p>CITIZEN ENGINEERING & LAND SURVEYING CO., P.C. 21 TOP STREET, 700-4-REPERC, NY 12021 PHONE: (845) 454-3990</p>		<p>OWNER / APPLICANT MAYNARD ENGINEERING & LAND SURVEYING CO., P.C. 21 TOP STREET, 700-4-REPERC, NY 12021 PHONE: (845) 454-3990</p>																										



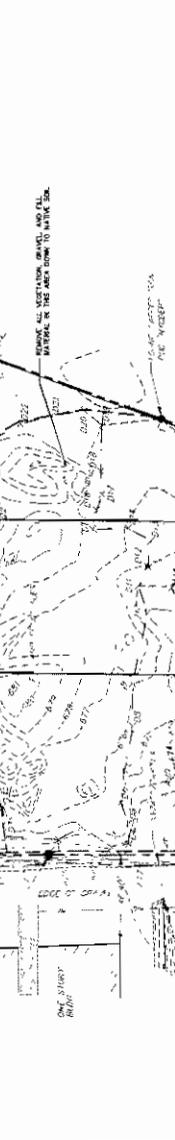
- DEMOLITION NOTES:**
1. ALL DEMOLITION OPERATIONS SHALL BE CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS INDICATED ON THIS PLAN AND THE APPROPRIATE REGULATORY AGENCIES. DEMOLITION SHALL BE CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS INDICATED ON THIS PLAN AND THE APPROPRIATE REGULATORY AGENCIES.
 2. DEMOLITION OPERATIONS SHALL BE CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS INDICATED ON THIS PLAN AND THE APPROPRIATE REGULATORY AGENCIES.
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 4. DEMOLITION OPERATIONS SHALL BE CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS INDICATED ON THIS PLAN AND THE APPROPRIATE REGULATORY AGENCIES.
 5. DEMOLITION OPERATIONS SHALL BE CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS INDICATED ON THIS PLAN AND THE APPROPRIATE REGULATORY AGENCIES.
 6. DEMOLITION OPERATIONS SHALL BE CONDUCTED IN ACCORDANCE WITH THE REQUIREMENTS INDICATED ON THIS PLAN AND THE APPROPRIATE REGULATORY AGENCIES.

- MAP NOTES:**
1. NORTH ORIENTATION: PROPERTY LINES AND OBJECTS TO BE DEMOLISHED SHALL BE SHOWN IN ACCORDANCE WITH THE REQUIREMENTS INDICATED ON THIS PLAN AND THE APPROPRIATE REGULATORY AGENCIES.
 2. UNDERGROUND UTILITIES, STRUCTURES, AND SERVICES HAVE BEEN LOCATED FROM DATA PROVIDED BY THE CLIENT AND FIELD SURVEY. THE CLIENT SHALL BE RESPONSIBLE FOR VERIFYING THE LOCATION AND DEPTH OF ALL UTILITIES, STRUCTURES, AND SERVICES PRIOR TO CONSTRUCTION.
 3. THE LOCATION OF ALL UTILITIES, STRUCTURES, AND SERVICES SHALL BE SHOWN ON THIS PLAN AND THE APPROPRIATE REGULATORY AGENCIES.
 4. THE LOCATION OF ALL UTILITIES, STRUCTURES, AND SERVICES SHALL BE SHOWN ON THIS PLAN AND THE APPROPRIATE REGULATORY AGENCIES.
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- NOTES:**
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- NOTES:**
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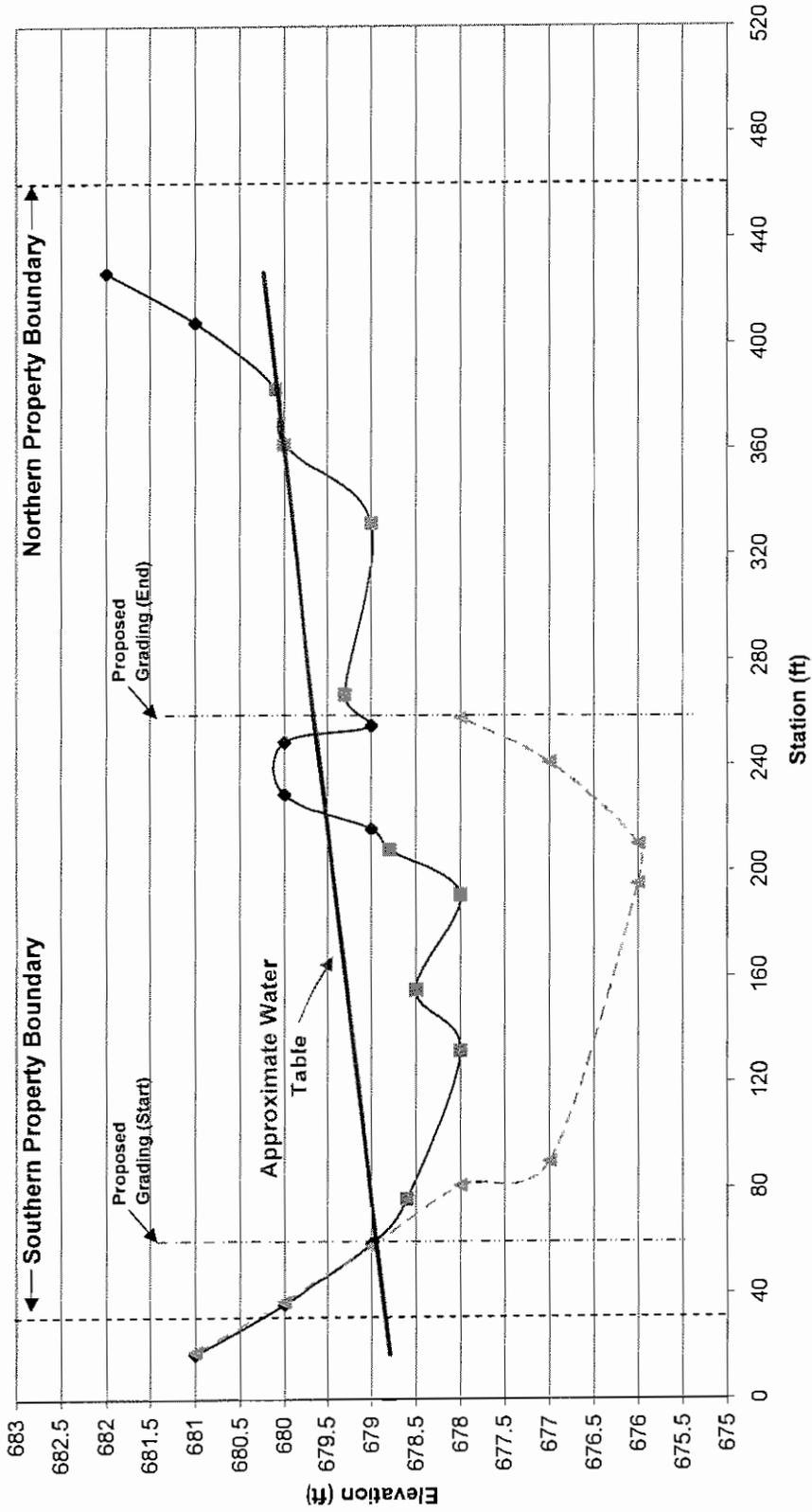
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**Figure WM1A:
Route 28A Wetland Mitigation Site Cross Section I**



KEY

- ◻ Wetland Points
- ◆ Elevation
- Existing Topography
- - - Proposed Mitigation Grading

**Figure WM1A:
Route 28A Wetland Mitigation Site Cross Section II**

